

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL
SOFTWARE ANTITRUST
LITIGATION (NO. II)**

**Case No. 3:23-md-3071
MDL No. 3071**

Honorable Waverly D. Crenshaw

**Declaration of Archie C. Lamb on Behalf of
Archie Lamb & Associates in Support of
Scott & Robins Leadership Application**

This Document Relates to: ALL CASES

**DECLARATION OF ARCHIE LAMB & ASSOCIATES IN SUPPORT OF SCOTT & ROBINS
LEADERSHIP APPLICATION**

I, Archie C. Lamb, Jr., pursuant to 28 U.S.C. §1746, declare that the following is true and correct to the best of my knowledge and belief.

1. I am a member in good standing of the Bars of the States of Alabama and Florida.
2. I am a partner of the law firm of Archie Lamb & Associates, counsel for plaintiffs in *Marchetti v. RealPage, Inc., et al.*, 3:23-cv-00380 (M.D. Tenn.) and *Schmidig v. RealPage, Inc., et al.*, 3:23-cv-00391 (M.D. Tenn.), which are part of the above-captioned multi-district litigation (the “MDL”).
3. Pursuant to this Court’s April 19, 2023, Order (ECF. No. 3) and the June 1, 2023 Order (ECF. No. 241), I submit this declaration in support of the Watters Plaintiffs’ Leadership Application submitted by Scott+Scott Attorneys at Law LLP and Robins Kaplan LLP (the “Scott & Robins Leadership Application”).

4. I have been a litigator for 35 years. In my first 14 years of practice, I was plaintiffs' attorney and handled the full gamut of claims including personal injury, product liability, consumer fraud, and others.

5. In 2001, my litigation experience changed dramatically as I was introduced to the world of multi-district litigation. The claims in that matter involved a dispute between physicians and the managed care industry alleging serious misconduct on the part of the insurers. Specifically, Defendants allegedly conspired to manipulate CPT codes, among other misdeeds, in violation of the Racketeer Influenced Corrupt Organization Act. The MDL Panel transferred those cases to the Southern District of Florida and the Hon. Federico Moreno. (*In re: Managed Care HMO Litigation*, MDL No. 1334 (S.D. Fla.)). I was appointed co-lead counsel together with Kozyak Tropin & Throckmorton ("KTT"). We worked to create a litigation structure that ultimately included 26 law firms and over 170 lawyers. Our group filed additional lawsuits against over 60 managed care insurance companies. We litigated for over a decade, and KTT and I were involved in every aspect of that litigation, including motion practice, appeals to the 11th Circuit and the U.S. Supreme Court, extensive discovery, and settlement discussions. The final result changed the way the industry handled claims and the resulting monetary relief for the nation's physicians was estimated to be in the multiple billions of dollars.

6. In a subsequent litigation that came about in part due to the success of *In re: HMO Managed Care HMO Litigation*, I also worked with KTT. *In re: Blue Cross Blue Shield Antitrust Litig.*, No. 13-cv-20000-RDP (N.D. Ala.) has been, and remains, one of the largest and most active antitrust cases in the country. In both of these MDLs, as well as in numerous other matters with which I have worked closely with KTT, I am always impressed, particularly with the ability of their partners Benjamin Widlanski, Javier Lopez, and Tal Lifshitz. I have no doubt that KTT will

effectively and successfully litigate this matter if appointed to the Plaintiffs' Steering Committee, I further know that they have sufficient resources to apply in the litigation, and I support their application.

7. I am also familiar with the work of Scott+Scott Attorneys at Law LLP ("Scott+Scott). I have worked specifically with a senior partner there, Joseph Guglielmo. Mr. Guglielmo was a key contributor in *In re: Managed Care HMO Litigation*, MDL No. 1334 (S.D. Fla.). Through my relationship with Mr. Guglielmo, I have maintained close contact with the success and talent at Scott+Scott. Again, this is a fine firm with excellent resources necessary to handle such an expansive and expensive litigation. Their extensive reputation in securities and antitrust law is known to be outstanding throughout our profession. I support their application for Interim Co-Lead Counsel, as detailed in the Scott & Robins Leadership Application.

8. I have also worked closely with Robins Kaplan LLP including, most recently, with senior partners Tara Sutton and Tim Purdon in the expansive opioids' litigation, *In re: National Prescription Opiate Litigation*, No. 1:17-md-02804-DAP (N.D. Oh.). Ms. Sutton, Mr. Purdon, and I were court-appointed members of the tribal leadership committee. I was responsible for meeting with tribal leaders and securing commitments for representation, and for client relations post-representation. I, Ms. Sutton, and Mr. Purdon also met with economic experts on tribal specific damages issues, as well mediated settlements in bankruptcy court with Purdue Pharma and non-bankruptcy settlements with the manufacturers, distributors, and pharmacy defendants. Based on my lengthy experience with these partners and my knowledge of the culture of Robins Kaplan LLP, I would highly commend their participation in the proposed leadership structure as Interim Co-Lead Counsel as detailed in the Scott & Robins Leadership Application.

9. Finally, I am extremely familiar with the Joseph Saveri Law Firm LLP, led by Joseph Saveri, whom I first came to know through reputation while representing the California physicians in *In re: Managed Care HMO Litigation*. I have personally known Mr. Saveri and his senior partner Cadio Zirpoli for many years. Mr. Zirpoli had an extremely active role in the *HMO* litigation, while a partner in a previous law firm. He was one of the primary attorneys litigating against the California defendants and worked long and hard in the discovery phase of that MDL. His work was exemplary. These two gentlemen will submit their own detailed biography, but I am confident that the Court will find this firm eminently qualified to take a major role in the litigation as part of the Plaintiffs' Steering Committee.

10. In short, I have personal experience with, and professional knowledge of, the firms, and many of the attorneys at those firms, seeking to lead this litigation as part of the Scott & Robins Leadership application. Specifically, I cannot speak highly enough of the attorneys at Scott+Scott, Robins Kaplan, KTT, and the Joseph Saveri Law Firm. They, together with the other firms comprising the Scott & Robins Leadership Application, will bring knowledge, experience, and resources sufficient to successfully litigate this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2023 in Birmingham, Alabama.

/s/ Archie C. Lamb, Jr. \
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